

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

SPECTRUM LABORATORIES, §
LLC, an Ohio Limited §
Liability Company. § CIVIL ACTION NO..
Plaintiff, § 4:22-cv-03705
v. § JUDGE CHARLES ESKRIDGE
DOES #1-10, §
Defendants. §

STATUS REPORT FOR INITIAL CONFERENCE

This is a counterfeiting case under the Lanham Act. **SPECTRUM LABORATORIES, LLC** (hereinafter “Plaintiff” or “Spectrum”) files this Notice Regarding Case Status in preparation for the Initial Conference.

On January 23, 2023, Spectrum was granted leave to amend its Original Complaint to drop the previously named defendants and add the Doe Defendants. [See Doc. 31]. Following this, the Court rescheduled the Initial Conference previously set for January 25, 2023 [See Doc. 16] and the same was reset for April 19, 2023. And on February 2, 2023, the Court granted Spectrum’s Motion for Leave to Conduct Discovery [Doc. 33] allowing Spectrum to send subpoenas to the John Does (the “Does”) identified in the Amended Complaint [Doc. 34].

Since that time, Spectrum has sent six subpoenas and has obtained responsive information from all but two. Presently, one of the subpoena recipients has declined to respond to the subpoena, serving only boilerplate

objections, unless and until a protective order is entered. To this end, Spectrum, after obtaining approval from this subpoena recipient, filed a Motion for Entry of the Court's Standard Protective Order [Doc. 40]. Spectrum remains hopeful that this subpoena recipient will comply with the subpoena upon entry of the Protective Order. If compliance is not obtained, Spectrum will file a Motion to Compel. The second outstanding subpoena response was due last week and Spectrum will pursue those responses and/or document production.

Assuming compliance with all of Spectrum's subpoenas continues to occur, Spectrum should be in a position to amend its Amended Complaint to identify the proper defendants.

Dated: April 18, 2023

Respectfully submitted,

By: /s/ David B. Cupar

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